CMS Manual System

Pub 100-20 One-Time Notification

Transmittal 177

Department of Health & Human Services (DHHS)
Center for Medicare & Medicaid Services (CMS)
Date: SEPTEMBER 2, 2005
Change Request 3980

SUBJECT: Termination of Existing Crossover Agreements As Trading Partners Transition to the National Coordination of Benefits Agreement (COBA) Program

I. SUMMARY OF CHANGES: Through this change request, Medicare contractors will receive instructions concerning the procedures they will be required to follow when terminating existing crossover Trading Partner Agreements (TPAs) with supplemental insurers/payers.

NEW/REVISED MATERIAL

EFFECTIVE DATE: October 3, 2005

IMPLEMENTATION DATE: October 3, 2005

Disclaimer for manual changes only: The revision date and transmittal number apply only to red italicized material. Any other material was previously published and remains unchanged. However, if this revision contains a table of contents, you will receive the new/revised information only, and not the entire table of contents.

II. CHANGES IN MANUAL INSTRUCTIONS: (N/A if manual is not updated)

R = REVISED, N = NEW, D = DELETED - Only One Per Row.

R/N/D	Chapter / Section / SubSection / Title
N/A	

III. FUNDING:

No additional funding will be provided by CMS; Contractor activities are to be carried out within their FY 2005 operating budgets.

IV. ATTACHMENTS:

One-Time Notification

*Unless otherwise specified, the effective date is the date of service.

Attachment – One-Time Notification

Pub. 100-20 Transmittal: 177 Date: September 2, 2005 Change Request 3980

SUBJECT: Termination of Existing Crossover Agreements As Trading Partners Transition to the National Coordination of Benefits Agreement (COBA) Program

I. GENERAL INFORMATION

A. Background: Currently, Medicare contractors cross over claims to trading partners, including Medigap plans, employer supplemental insurers, TRICARE for Life, other health insurance plans, and Title XIX State Medicaid Agencies, pursuant to the terms and conditions of executed Trading Partner Agreements (TPAs). Once such Agreements are executed, these trading partners submit eligibility files to the Medicare contractors to identify their covered members/insureds. Medicare contractors, in turn, send processed Medicare claims to such entities, consistent with the terms of their existing crossover TPAs.

Through Change Request 3218, Transmittal 138, dated April 9, 2004, Medicare contractors were apprised that trading partners would be responsible for canceling their existing crossover TPAs with them before moving into crossover production with the Coordination of Benefits Contractor (COBC). Beginning on or about September 2005, contractors may reference a listing of trading partners that have transitioned to the national COBA process at: http://www.cms.hhs.gov/medicare/cob/coba/coba.asp. An update of the listing will occur regularly to convey the current COBA transition information.

Contractors previously received guidance regarding a process for termination of their existing crossover TPAs with trading partners via the issuance of JSM-05090, dated November 24, 2004. The Centers for Medicare & Medicaid Services (CMS) is now updating that communication through this instruction.

B. Policy: The CMS has decided that trading partners will request cancellation of existing crossover agreements through an electronic notification. The trading partner will send its notification to the affected Medicare contractors no less than 15 business days prior to the trading partner's scheduled COBA production date with the Coordination of Benefits Contractor (COBC). Aside from conveying a trading partner's intent to end its current claims crossover process with the Medicare contractor, the electronic termination will specify or indicate 1) the trading partner's scheduled crossover production date with the COBC (always a Monday) and 2) whether a trading partner wishes to continue mandatory Medigap ("claim-based") crossover with the Medicare contractor. (NOTE: The latter could refer to situations where a trading partner is not transitioning its Medigap line of business to the COBA process but is transitioning other lines of business.)

Assuming that the trading partner's COBA production date is Monday, August 1, 2005, the COBA trading partner would submit its last eligibility file update to its affiliated Medicare contractor(s) for processing on Wednesday, July 20, 2005 (eight business days prior to the trading partner's scheduled production date, allowing an extra day for holidays, as applicable). With the exception of trading partners that will require a phased-in implementation of the COBA process (e.g., healthcare clearinghouses and Medicaid fiscal agents), the trading partner's eligibility file would be cancelled based upon each contractor system's current methodology for tagging claims to cross over and when claims are currently crossed over to the trading partner (before the payment floor or after the payment floor has expired). Thus, three possible

scenarios for canceling the eligibility files and sending "transition" claims (claims adjudicated prior to the COBA production date that will be transmitted to the COBC from the contractors' payment floor beginning on the production date) to the trading partner arise:

Scenario#1—Contractor Tags and Crosses the Claim When the Processed Claim Is Received from the Common Working File (CWF)

On July 20, 2005, the trading partner sends its last eligibility file update to the Medicare contractor. For contingency planning purposes, the Medicare contractor shall retain a duplicate copy of the eligibility file at its Data Center through August 27, 2005. On July 14, 2005, the COBC would submit to all CWF host sites an update to remove the trading partner from the COBA Insurance File (COIF). The update would be effective after the contractor tags claims for crossover on Friday, July 15th and would cause testing of the COBA crossover process to cease during the period from July 15 through July 29, 2005. Approximately two (2) business days before the trading partner's production date with the COBC, the COBC would include the trading partner on its COIF update, with the Test/Production indicator changing to "P." The Thursday, July 28th processed claims returning from CWF would be tagged for crossover by the Medicare contractors on Friday, July 29th, and all subsequent claims would be tagged as "P" (production) claims for crossover by the COBC.

Once the Thursday, July 28th processed claims are tagged for crossover under the Medicare contractor's crossover TPA on Friday, July 29th, the contractor's Data Center shall remove the trading partner's eligibility file that was used to tag those claims for crossover, thereby ensuring that no future claims shall be tagged for crossover. (NOTE: The contractor's Data Center shall, however, retain the duplicate copy of the eligibility file through August 27, 2005.) Claims processed by the Medicare contractor on July 28th, which will be held on the crossover holding floor for one (1) day or included on that same-day crossover file, shall be transmitted by the Medicare contractor to the trading partner. In the event that the Medicare contractor receives a CWF reply trailer (29) containing a "T" (test) indicator for claims processed on or before July 28th, the contractor shall include those claims in its transmission that will be sent to the trading partner.

Effective with claims processed and sent to CWF for verification and validation on Friday, July 29, 2005, the contractor's Data Center will receive a CWF reply trailer (29) on Monday, August 1st that contains a "P" (production) Test/Production indicator for claims that have been selected for crossover to the trading partner. Upon receipt of the CWF reply trailer (29) containing the "P" (production) trailer, the contractor shall begin sending production claims to the COBC (see Requirement 3273.4 for suppression of claims for purposes of avoiding claim crossover duplication). In addition, the contractor shall send claims to the COBC that are coming off the contractor's Medicare payment floor with a "T" (test) indicator for the trading partner on or after July 29th, along with all other trading partners that are in the COBA test mode (Test/Production indicator=T), in accordance with Transmittal 158. (NOTE: The "P" indicator would not be received on claims sent to CWF on the Friday prior to the trading partner's scheduled production date until the contractor's Data Center has first received a reply from CWF for the Thursday, July 28th processed claims.)

The contractor shall 1) cancel its existing crossover agreement with the trading partner no earlier than August 27, 2005, and 2) maintain connectivity with that entity until the existing crossover agreement is cancelled.

Scenario#2— Contractor Tags and Crosses the Claim When It Leaves the Medicare Payment Floor

On July 20, 2005, the trading partner sends its last eligibility file update to the Medicare contractor. For contingency planning purposes, the Medicare contractor shall retain a duplicate copy of the eligibility file at its Data Center through August 27, 2005. On July 14, 2005, the COBC would submit a COIF update to the CWF host sites that would cause testing of the COBA crossover process to cease during the period from July 15 through July 29, 2005. The COBC would restore the trading partner to the COIF update file, with the COBA Test/Production indicator changed to "P," approximately two (2) business days in advance of the COBA trading partner's scheduled production date with the COBC. This would ensure that the contractor's claims processed on Friday, July 29th and returned from CWF on Monday, August 1st would be sent to the COBC in production mode once they have left the contractor's payment floor.

CMS recognizes that the Medicare contractor currently tags claims for crossover to the trading partner as they come off the Medicare payment floor and then concurrently crosses the processed claims to that entity. Therefore, the contractor's Data Center shall remove the trading partner's eligibility file effective with its August 27, 2005, weekend cycle, thereby ensuring that no future Part A claims shall be tagged for crossover under the contractor's existing crossover TPA.

Effective with claims processed and sent to CWF for verification and validation on Friday, July 29, 2005, the contractor's Data Center will receive a CWF reply trailer (29) on Monday, August 1st that contains a "P" (production) Test/Production indicator for claims that have been selected for crossover to the trading partner. Upon receipt of the CWF reply trailer (29) containing the "P" (production) trailer, the contractor shall begin sending production claims to the COBC (see Requirement 3273.4 for suppression of claims for purposes of avoiding claim crossover duplication). In addition, the contractor shall send claims to the COBC that are coming off the contractor's Medicare payment floor with a "T" (test) indicator for the trading partner on or after July 29th, along with all other trading partners that are in the COBA test mode (Test/Production indicator=T), in accordance with Transmittal 158. (NOTE: The "P" indicator would not be received on claims sent to CWF on the Friday prior to the trading partner's scheduled production date until the contractor's Data Center has received a reply from CWF for the Thursday, July 28th processed claims.)

In order for the contractor to transmit and clear all of its claims from the Medicare payment floor that were returned from CWF on or before July 29th for crossover to the trading partner under its existing TPA, it shall 1) cancel its existing crossover agreement with the trading partner no earlier than August 27, 2005, and 2) maintain connectivity with that entity until the existing crossover agreement is cancelled. Note that these claims that are clearing the contractor's payment floor shall include claims for which a CWF reply trailer (29) containing a "T" (test) indicator was received on or before July 29th for crossover to the trading partner (see Transmittal 158).

Scenario#3— Contractor Tags the Claim When the Processed Claim is Received from CWF and Crosses the Claim When It Leaves the Medicare Payment Floor

On July 20, 2005, the trading partner sends its last eligibility file update to the Medicare contractor. For contingency planning purposes, the Medicare contractor shall retain a duplicate copy of the eligibility file at its Data Center through August 27, 2005. On July 14, 2005, the COBC would submit to all CWF host

sites an update to remove the trading partner from the COIF. The update would be effective after the contractor tags claims for crossover on Friday, July 15th and would cause testing of the COBA crossover process to cease during the period from July 15 through July 29, 2005. Approximately two (2) business days before the trading partner's production date with the COBC, the COBC would include the trading partner on its COIF update, with the Test/Production indicator changing to "P." The Thursday, July 28th processed claims returning from CWF would be tagged for crossover by the Medicare contractors on Friday, July 29th, and all subsequent claims would be tagged as "P" (production) claims for crossover by the COBC.

Once the Thursday, July 28th processed claims are tagged for crossover under the contractor's existing crossover TPA on Friday, July 29th, the contractor's Data Center shall remove the trading partner's eligibility file that was used to tag those claims for crossover, thereby ensuring that no future Part B claims shall be tagged for crossover. (NOTE: The contractor's Data Center shall, however, retain the duplicate copy of the eligibility file through August 27, 2005.)

Effective with claims processed and sent to CWF for verification and validation on July 29, 2005, the contractor's Data Center will receive a CWF reply trailer (29) on Monday, August 1st that contains a "P" (production) Test/Production indicator for claims that have been selected for crossover to the trading partner. Upon receipt of the CWF reply trailer (29) containing the "P" (production) trailer, the contractor shall begin sending production claims to the COBC (see Requirement 3273.4 for suppression of claims for purposes of avoiding claim crossover duplication). In addition, the contractor shall send claims to the COBC that are coming off the contractor's Medicare payment floor with a "T" (test) indicator for the trading partner on or after July 29th, along with all other trading partners that are in the COBA test mode (Test/Production indicator=T), in accordance with Transmittal 158. (**NOTE:** The "P" indicator will not be received on claims sent to CWF on the Friday prior to the trading partner's scheduled production date until the contractor's Data Center has received a reply from CWF for the Thursday processed claims.)

In order for the contractor to transmit and clear all of its claims from the Medicare payment floor that were tagged on or before July 29th for crossover to the trading partner under its existing TPA, it shall 1) cancel its existing crossover agreement with the trading partner no earlier than August 27, 2005, and 2) maintain connectivity with that entity until the existing crossover agreement is cancelled. Note that these claims that are clearing the contractor's payment floor shall include claims for which a CWF reply trailer (29) containing a "T" (test) indicator was received on or before July 29th for crossover to the trading partner (see Transmittal 158).

Special Process for Entities Performing a Phased-In COBA Implementation

CMS recognizes that healthcare clearinghouses, Medicaid fiscal agents, and those trading partners that may perform a phased-in implementation by transitioning one line of business to the national COBA process will require a special termination process. To ensure that the transitioning insurer clients represented by the foregoing entities will not realize a gap in their receipt of crossover claims, CMS will require the foregoing entities to submit a refreshed eligibility file no sooner than the transitioning insurer clients' production date with the COBC (always a Monday) and no later than the Wednesday immediately following the insurer clients' production date. CMS will require healthcare clearinghouses, Medicaid fiscal agents, and others that will perform a phased-in COBA implementation to include only those beneficiaries associated to non-transitioned insurer clients on the refreshed contractor eligibility file.

Contractor Data Centers will receive a CWF "P" Test/Production Indicator on claims only for those beneficiaries represented by insurer clients that have transitioned to the national COBA process.

Additional Information

For all scenarios presented above, contractors shall terminate existing eligibility file-based TPAs effective no later than thirty (30) calendar days after the trading partner's scheduled production date. Trading partners that have executed TPAs with Medicare Part B and DMEPOS contractors that contain both eligibility file-based and claim-based (mandatory Medigap crossover) provisions shall have the option to terminate both provisions or maintain the claim-based provision as they move into production with the COBC. If the trading partner requests that a Medicare contractor terminate both provisions, the Medicare contractor shall cancel the crossover agreement no later than thirty (30) calendar days after the trading partner's scheduled production date. The trading partner shall specify its intention to either continue or cease claim-based crossover with a Medicare contractor via its electronic termination notice, as specified above. If a trading partner wishes to continue claim-based crossover, the contractor shall 1) maintain connectivity with the trading partner until further notice and 2) amend its current agreement, as applicable, to accommodate this request and shall do so prior to the termination of the existing TPA that contains both eligibility file-based and claim-based crossover provisions.

As a reminder, if a Medicare Part B or DMEPOS contractor receives a CWF Beneficiary Other Insurance (BOI) reply trailer (29) for a claim, and the trailer contains a COBA ID in the Medigap range (30000-54999) and indicates that the Medigap insurer is in production status with the COBC (Test/Production indicator=P), the contractor shall suppress crossover to the Medigap insurer, in accordance with requirement #4 of Transmittal 158 (Change Request 3273).

Prior to 12:00pm (Eastern time) on Thursday, July 28, 2005, the COBC would have sent each CWF host site an updated COBA Insurance File (COIF) that contains a "P" Test/Production indicator for those trading partners that will be moved to production with the COBC effective with Monday, August 1st. The CWF host sites shall load the updated COIF that contains a "P" Test/Production indicator only after the Thursday, July 28th claims cycle has been processed through CWF on Friday, July 29th using the existing COIF. This would ensure that, effective with claims that were processed on Friday, July 29th and returned from CWF on Monday, August 1st, the contractor's Data Center would receive both a "P" Test/Production indicator via the CWF BOI reply trailer (29) for trading partners that would be now in production mode with the COBC as well as a "T" Test/Production indicator for those trading partners that remain in test mode with the COBC.

II. BUSINESS REQUIREMENTS

"Shall" denotes a mandatory requirement "Should" denotes an optional requirement

Requirement Number		Responsibility ("X" indicates the columns that apply)								es the
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3980.1	Upon the successful completion of COBA crossover testing with the COBC, each trading partner will send a termination notice, via e-mail, to the designated internal claims crossover contact(s) at your organization, as provided to CMS, copying CMS (COBAProcess@cms.hhs.gov) and the COBC (cobva@ghimedicare.com). The termination notice shall specify the trading partner's scheduled production date with the COBC and indicate whether the trading partner wishes to continue Medigap claim-based crossover with your organization, as applicable. (NOTE: The trading partner's scheduled crossover production date with the COBC will always occur on a Monday and be timed to no less than 15 business days of the contractor's scheduled receipt of the trading partner's termination notice.)									
	The Medicare contractor's designated internal claims crossover contact(s) shall accept an electronic e-mail termination notice from each crossover trading partner that is planning to move to crossover production with the COBC. The electronic termination notice will always be sent no less than fifteen (15) business days prior to the trading partner's scheduled production date with the COBC.	X	X	X	X					

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3980.1.1	To ensure proper coordination of this activity between the trading partner and the Medicare contractor, the contractor shall send any updates to its designated internal claims crossover contact(s), including e-mail address(es), to COBAProcess@cms.hhs.gov .	X	X	X	X					
3980.2	The Medicare contractor's designated internal claims crossover contact(s) shall acknowledge receipt of the trading partner's electronic termination notice within three (3) business days of receipt of the trading partner's electronic notice via a return e-mail to the originator of the email (i.e., the trading partner contact(s)), including CMS (COBAProcess@cms.hhs.gov) and the COBC (cobva@ghimedicare.com) as copied parties. CMS will contact the contractor's designated internal crossover contact(s) if an acknowledgement is not provided to the trading partner	X	X	X	X					
3980.2.1	within that timeframe. The contractor's acknowledgement response shall specify whether the trading partner is required to supply a signed written termination notice in addition to the electronic termination notification. The response shall also inform the trading partner that payment shall be expected for all transferred crossover claims that will be pending in the contractor's system at the time the trading partner moves to production with the COBC.	X	X	X	X					
3980.3	Contractors shall accept and utilize the trading partner's final eligibility file eight (8) business days prior to the trading partner's scheduled production date for purposes of tagging claims for crossover to the trading partner in conjunction with the three (3) scenarios presented above in the "Policy" section.	X	X	X	X					

Requirement Number	Requirements	Responsibility ("X" indicates the columns that apply)								
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3980.3.1	Each contractor's Data Center shall retain a copy of the trading partner's last eligibility file for a period not to exceed 30 calendar days from the trading partner's scheduled production date.	X	X	X	X					
3980.4	Contractors that currently tag claims to be crossed over following receipt of a CWF response (approval) and cross claims to the trading partner prior to the claims payment floor shall execute the procedure outlined above under "scenario #1" within the "Policy" section.	X	X	X	X					
3980.4.1	Contractors that tag and cross claims over in accordance with scenarios 1, 2, and 3, described above, shall continue to mark their Medicare Summary Notices (MSNs), Electronic Remittance Advices (ERAs), and other remittance advices (RAs) based upon their current crossover procedures until they receive a CWF BOI reply trailer (29) containing a "P" Test/Production indicator. (See Transmittal 158, Change Request 3273 for an explanation of how contractors are to mark their MSNs, ERAs, and RAs when they receive a "P" Test/Production indicator via the BOI reply trailer 29.)	X	X	X	X					
3980.4.2	Contractors that cross claims over after they are held on the crossover holding floor for one (1) day or are included on the same-day crossover file (scenario #1) shall continue to invoice the trading partner for such crossover claims prior to the cancellation of their crossover TPA with that entity.	X	X	X	X					

Requirement Number Requirements Responsibility ("X" indicated columns that apply)							cates the			
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3980.5	Contractors that tag claims for their current crossover process at the point that processed claims finalize on the payment floor (14 to 28 days after claims are received) shall execute the procedure outlined above under "scenario #2" within the "Policy" section.	X		X	X					
3980.5.1	Contractors shall continue to invoice the trading partner for any claims crossed over under their existing crossover TPA (including claims for which a "T" CWF reply trailer (29) or for which a CWF reply trailer (29) was not received) that come off the payment floor following the trading partner's scheduled production date.	X	X	X	X					
3980.6	Contractors that tag claims for their current crossover process after they have received a CWF response (approval) and then hold claims on the payment floor for 14 or 28 calendar days shall execute the procedure outlined above under "scenario #3" within the "Policy" section.	X	X	X	X					
3980.6.1	Contractors shall continue to invoice the trading partner for any claims crossed over under their existing crossover TPA (including claims for which a "T" CWF reply trailer (29) or for which a CWF reply trailer (29) was not received) that come off the payment floor following the trading partner's scheduled production date.	X	X	X	X					
3980.7	CMS understands that, with the exception of the Multi-Carrier System (MCS), Data Centers do not require the trading partner to submit a null (empty) eligibility file to terminate the existing eligibility file-based crossover process.	X	X	X	X					
	To facilitate the termination process for MCS carriers, their associated Data Centers shall create and process a null (empty) eligibility file, per their existing eligibility file termination									

Requirement	Requirements	Responsibility ("X" indicates the								
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	procedures and in conjunction with the appropriate scenario listed above in the "Policy" section.									
3980.8	With the exception of trading partners that will require a phased-in implementation approach (e.g., healthcare clearinghouses, Medicaid fiscal agents, and other entities that only wish to terminate one line of business but maintain a crossover relationship with the Medicare contractor for all other lines), Medicare contractors shall have terminated all existing eligibility file-based TPAs and removed all related eligibility files effective no later than 30 calendar days from the trading partner's scheduled production date.	X	X	X	X					
3980.9	Medicare Part B and DME contractors shall terminate TPAs executed with both eligibility file-based crossover and claim-based crossover provisions if the trading partner specifies it wishes to cancel both provisions. This shall be accomplished within 30 calendar days of the trading partner's scheduled production date.			X	X					
3980.9.1	If a trading partner indicates via its electronic termination notice that it wishes to continue claim-based crossover, Part B and DME contractors shall amend their crossover TPAs with that entity to allow for continuance of claim-based crossover within 30 calendar days from receipt of the trading partner's scheduled production date. Please note that actions taken by Part B and DME contractors to amend existing TPAs to accommodate only claim-based crossover will not affect the trading partner's scheduled production date with the COBC.			X	X					

Requirement	Requirements	Responsibility ("X" indicates the					es the			
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3980.10	As described in requirement #4 of Transmittal 158, all contractors shall employ a duplicate check to ensure that, with the exception of claims for supplemental insurers (COBA ID range 00001-29999), they do not cross over claims to trading partners based on their existing TPAs or claim-based crossover process if they receive a BOI reply trailer (29) with a "P" Test/Production indicator.					X	X	X		
3980.11	As part of its current processing routine for COBA, the CWF maintainer shall accept and process a COIF update from the COBC only after claims cycles for the Thursday before production have been run on Friday. The COIF will contain a "P" Test/Production indicator for those trading partners that will be moving to production with the COBC on the Monday scheduled as the trading partners' production date and will also include a "T" Test/Production indicator for those trading partners that have not yet been moved to crossover production with the COBC.								X	
3980.11.1	As part of their current processing routine for COBA, contractor Data Centers shall accept and process BOI reply trailers containing "P" Test/Production indicators for those trading partners that will be moving to production with the COBC on a designated Monday.	X		X						
3980.11.2	Contractor Data Centers shall also accept and process BOI reply trailers containing "T" Test/Production indicators for those trading partners that have not yet moved to crossover production with the COBC.	X	X	X	X					

III. PROVIDER EDUCATION

Requirement	Requirements	Responsibility ("X" indicates the								
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		F I	R H H I	C a r r i e r	M E R C	Maintaine F M I C		Other		
3980.12	None.	X	X	X	X					

IV. SUPPORTING INFORMATION AND POSSIBLE DESIGN CONSIDERATIONS

A. Other Instructions: N/A

X-Ref Requirement #	Instructions

B. Design Considerations: N/A

X-Ref Requirement #	Recommendation for Medicare System Requirements

C. Interfaces: N/A

D. Contractor Financial Reporting /Workload Impact: N/A

E. Dependencies: N/A

F. Testing Considerations: N/A

V. SCHEDULE, CONTACTS, AND FUNDING

Effective Date*: October 3, 2005

Implementation Date: October 3, 2005

Pre-Implementation Contact(s): Brian Pabst

(410-786-2487)

Post-Implementation Contact(s): Brian Pabst

(410-786-2487)

No additional funding will be provided by CMS; Contractor activities are to be carried out within their FY 2005 operating budgets.

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